

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: William Andrew Karo

Case No. 13-33011-KRH
Chapter 7

**OBJECTION OF CANFIELD, BAER & HELLER, LLP AND ROBERT A. CANFIELD
TO TRUSTEE'S MOTION FOR SANCTIONS, MOTION TO COMPEL, AND MOTION
TO EXAMINE**

COME NOW Robert A. Canfield, Partner of Canfield, Baer & Heller, LLP and counsel for Page S. Karo, on behalf of himself, and Tommy P. Baer, Partner of Canfield, Baer & Heller, LLP, and behalf of the firm, and object to the Motions filed by Bruce Robinson, Trustee, by his counsel, Alison Feehan, by reason of the following:

I. Subpoena Issued to Canfield, Baer & Heller, LLP

1. Robert A. Canfield (hereinafter “Canfield”) represents Page S. Karo. The firm of Canfield, Baer & Heller, LLP (hereinafter “CBH”) does not represent Ms. Karo.
2. Alison Feehan, counsel for Trustee Bruce Robinson, issued a subpoena to the law firm CBH, requesting CBH’s entire file relating to CBH’s representation of debtor.
3. CBH did not represent debtor, despite Ms. Feehan’s claim on page seven of her Motions.
4. In her Motions, Ms. Feehan refers to “Canfield” with both the pronoun he and it, but it seems by the totality of her statements and accusations that she is clearly casting her disparaging remarks against Robert A. Canfield as an individual, not against the firm

Tommy P. Baer, VSB 05216
Robert A. Canfield, VSB 16901
Canfield, Baer & Heller, LLP
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Richmond, VA 23230
☎ 804-673-6600
✉ 804-673-6604

Canfield, Baer & Heller, LLP.

5. On page 9 of her Motions, under the heading “E. Canfield Refuses to Turnover Debtor’s Files,” Ms. Feehan states that “Canfield has failed to date to produce any documents in response to the Subpoena, nor has it produced a privilege log.” This slanderous accusation is knowingly false in that Canfield’s office has made it abundantly clear to Ms. Feehan that neither Canfield nor CBH is in possession nor has access to any of the items that she is demanding.
6. Paul Curley, an attorney who formerly worked for Irwin Heller at CBH office, represented the debtor in the past.
7. Paul Curley resigned from CBH and his last day was June 14, 2013. When he left, he took with him all of his clients’ files and electronic devices.
8. Canfield, whom Ms. Feehan has been harassing about these files and electronically-stored data, never had access to any of the information in Paul Curley’s possession.
9. Ms. Feehan has also sent Canfield pestering e-mails about how the firm stores and protects its electronic data, which Canfield is not required to divulge to sources outside of the firm. CBH transmits highly confidential information via electronic mail and Ms. Feehan has no right to the knowledge of CBH’s security measures or how to access data remotely.
10. Canfield will state that no one at CBH, him included, has any access to e-mails that were sent to or from Paul Curley’s CBH e-mail account. Due to our security protocols, the only way one may access e-mails is through an electronic device that has been programmed with particular CBH e-mail address information. Once an e-mail has been opened on any electronic device, it is permanently deleted from our e-mail carrier so that

no one who may stealthily gain access to an e-mail account can access said e-mails from any other device other than the device on which said e-mail was opened.

11. CBH does not have Paul Curley's client files for debtor, as he took them with him when he changed firms.
12. CBH has no way to access any e-mails Paul Curley may or may not have had in his possession, as Paul Curley took all of his electronic devices with him when he changed employment.
13. Any documents turned over to Ms. Feehan that related to Paul Curley's representation of the debtor were provided by Ms. Karo, not by Canfield or CBH.
14. Despite informing Ms. Feehan that we have no access and that she should contact Paul Curley for the information, she continues to harass Canfield by the filing of these frivolous Motions, with full knowledge that we cannot comply. Please see attached Exhibit 1.
15. Further, Ms. Feehan argues in her Motions that Canfield "refused to cooperate on the grounds of privilege even though they also refused to produce a privilege log or explain how the privilege applies," which, given the written response that was supplied to Ms. Feehan, is a blatant lie formulated to slander and harm Canfield, who will be filing a motion for sanctions against Ms. Feehan as a result. As it clearly states in Canfield's response, which is attached as Exhibit 4, "We have no documents to produce pursuant to your request." This was further clarified for Ms. Feehan following her complaints to our response in an e-mail dated June 11, 2014 (page 3 of attached Exhibit 1), informing her that "For any information regarding the past representation of the Debtor, you would have to contact Paul Curley, who is no longer with this firm. It is our understanding that

all of his client files were taken with him when he left approximately a year ago.”

Canfield even went as far as to tell Ms. Feehan how to contact Paul Curley, yet Ms. Feehan persists in this harassing and useless mission. Ms. Feehan argues that Canfield must turn over these documents because we have not given her a privilege log for them. Canfield simply does not know how to create a log for documents that he does not possess and that, to his knowledge, may not be in existence. Neither Canfield nor CBH is under any obligation to provide a privilege log when it has no documents to produce.

16. Ms. Feehan’s Motions say that she would like to examine CBH in order to determine its involvement with the debtor’s pre-petition financial affairs, trust litigation, and disposition of assets. CBH has no role in any of these matters and, once again, Ms. Feehan should contact Paul Curley.
17. Ms. Feehan needs to draw a line between the past representation of the debtor by Paul Curley and the current representation of Ms. Karo by Robert A. Canfield. By blurring the lines, she has complicated the issues in this case even further, adding to litigation expenses and prolonging the litigation.
18. Ms. Feehan asks that this Court enter an Order compelling Canfield to turn over the files on the debtor. Even though she has been told repeatedly that there is absolutely nothing to turn over, either Ms. Feehan has somehow misunderstood or she is purposely filing false information with the Court in order to harass Canfield and increase her billable hours in this matter.

19. Ms. Feehan further asks this Court to order Canfield and/or CBH¹ to participate in a 2004 Examination of himself/itself to determine his/its involvement with the debtor's pre-petition financial affairs. As has been clearly and repeatedly stated, neither Canfield nor CBH has knowledge of these matters and Ms. Feehan needs to contact Paul Curley, who actually did represent the debtor.

II. Canfield's Representation of Page Karo

20. Robert A. Canfield and Canfield, Baer & Heller, LLP incorporate by reference herein the allegations and defenses contained in Paragraphs One through Nineteen above.

21. In her Motions, Ms. Feehan has maliciously and falsely accused Canfield, through his representation of Ms. Karo, of purposefully thwarting her attempts at discovery.

22. Page S. Karo provided counsel for the trustee, Alison Feehan, with over 2,500 pages of discovery material, per the 2004 Examination Order. Ms. Karo provided every piece of paper, page, statement, etc. that she was able to locate. Her production was clearly not "deficient" as Ms. Feehan so inaccurately describes in her Motion. Canfield has been very clear with Ms. Feehan that these were all of the documents in Karo's possession. Ms. Feehan's allegation that Ms. Karo and Canfield have "stonewalled" the Trustee is an outright lie and a manipulation created by Ms. Feehan to sway this Court.

23. Ms. Feehan argues that the discovery production delivered to her was "scattered and produced haphazardly with numerous missing pages." Canfield has already dealt with this matter with Ms. Feehan. Below, an outline of the pertinent facts, which refers to the attached relevant exhibits for a more particular accounting of these matters:

¹ The particular party that Ms. Feehan would like to examine is unclear but, either way, the examination would be unproductive. Robert A. Canfield has already been abundantly clear that he has no knowledge or documentation relating to Paul Curley's representation of the debtor, other than documentation that was given to him by Ms. Karo and already produced for Ms. Feehan as part of his initial and supplemental discovery productions for Ms. Feehan. If the firm of Canfield, Baer & Heller, LLP were to be examined, partner Tommy P. Baer would be its representative, and he has even less knowledge of Curley's representation than Canfield does.

- a. Exhibit 2: E-mail dated June 6, 2014 at 3:53 on a Friday afternoon from Ms. Feehan, giving counsel for Ms. Karo only one business day to provide supplementary discovery.
- b. Exhibit 3: E-mail dated June 6, 2014 from Ms. Feehan claiming that Canfield had not responded to her subpoena.
- c. Exhibit 4: Copies of subpoena response that was mailed to Ms. Feehan on May 12, 2014.
- d. Exhibit 5: Response to e-mail referenced as Exhibits 2 and 3 from Canfield's office, outlining that Ms. Feehan's request obviously cannot be completed immediately, due to the sheer amount of discovery documentation that needed to be sifted through and that the response would be resent. Note that Canfield's office responded that same day, even though Canfield himself was not in the office, which is hardly an indication of "stonewalling" Ms. Feehan.
- e. Exhibit 6: E-mail from Canfield's office to Ms. Feehan dated June 11, 2014, providing additional discovery, informing her of discovery to be mailed, and informing her that Ms. Karo is simply unaware of the location of the documents requested. The e-mail also included a privilege log, to which Canfield had received no feedback, criticism, or response until Ms. Feehan filed her Motion for Sanctions. No timely objection was ever made to the log provided. As Ms. Feehan did not object to said privilege log provided to her, she certainly cannot now argue she should have access to privileged and confidential information or that sanctions should be imposed. In fact, judging by her Motions, it would seem that Ms. Feehan thinks that she has the right to gain access to privileged

information to judge for herself if it is indeed privileged and confidential. Sadly for Ms. Feehan, that would be contrary to the purpose of the rules governing privileged and confidential information. Further, as it applies to Canfield's representation of Ms. Karo, it would be ridiculous to assert, if in fact it is Ms. Feehan's purpose, that Canfield's communications are not protected due to the Crime-Fraud Exception, as his privileged communications were clearly not made for the purpose of getting advice for the commission of a fraud or for an unlawful purpose, as neither Canfield nor Ms. Page has been accused of committing any crime. Canfield did not represent the debtor, so he would not have privileged communications with him anyway. If Ms. Feehan would like to argue the Crime-Fraud Exception applies to CBH in its representation of the debtor, she is reaching at best, but more probably simply making a bad faith argument in order to harass Canfield and CBH, as the attorney for the debtor was Paul Curley.

- f. Further, on June 13, 2014, an additional 285 pages of discovery material was sent to Ms. Feehan.
- g. Exhibit 7: Despite Ms. Feehan's claims that Canfield has stonewalled her attempts at discovery, Canfield's office has been in contact communication with Ms. Feehan's office (and her predecessors, as counsel for the trustee tending to rotate over the course of these proceedings). Attached as Exhibit 7, please find communications from both Canfield and his office. Further, as part of the discovery documentation that was supplied to Ms. Feehan, it is clear that Canfield's office was in communication with the other parties involved in this litigation to locate said missing documentation, a fact that Ms. Feehan has

conveniently overlooked and is quite surprising, given that she has copies of these e-mails in her possession.

24. Given the massive amounts of information provided to Ms. Feehan, her claim that she has been “stonewalled” is ludicrous and untrue, clearly made in bad faith and in an effort to smear and slander Canfield.

25. Ms. Feehan argues that the production is “deficient” due to the fact that the documents are not organized to her liking and there were blank pages included. Thousands of pages were reproduced in order to appease Ms. Feehan’s request and two-sided bank statements were recopied so that they were one-sided, for her convenience, as this is the way Canfield’s office prefers to have documents reproduced for his own discovery binders. As a result, Ms. Feehan is outraged that some of the blank pages of the two-sided documents were included in Ms. Karo’s response. Ms. Karo provided every piece of paper that was in her possession and that included the second page of any two-sided document, so that she would not be accused of withholding information and that Canfield’s office would not receive frivolous complaints.

26. Ms. Karo has no access to the missing documentation of 18+ various accounts that Ms. Feehan would like. Ms. Feehan is obviously very familiar with filing subpoenas in this case, but has yet failed to do so in order to obtain these materials directly from the banks involved. Canfield is in no way withholding this information from Ms. Feehan.

27. Canfield’s production has been complete and thorough to the best of his ability and meets the requirements of the law.

28. Further, Ms. Feehan has not stated a cause of action in her Motion for Sanctions, as there was no indication of her statutory basis for asking for sanctions or even what those

sanctions would be if granted.

29. It is further argued that the filing of the Motions is a thinly-veiled attempt by Ms. Feehan to pad her possible recovery of attorney fees in this case, should the estate recover any funds. Ms. Feehan could herself have easily accessed the materials about which she is complaining but, instead, she has created substantial and needless litigation. As a result of the outright fabrications that Ms. Feehan has endorsed with her signature, Canfield will be filing his Motion for Sanctions against Alison Feehan.

WHEREFORE, Robert A. Canfield and Tommy P. Baer, partner of Canfield, Baer & Heller, LLP, request that this Court dismiss the Motions filed against Robert A. Canfield personally and/or the law firm of Canfield, Baer & Heller, LLP and to award any further relief that this Court may deem necessary.

CANFIELD, BAER & HELLER, LLP

By: /s/ Tommy P. Baer
Partner

Tommy P. Baer, VSB 05216
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Suite 200
Richmond, VA 23230
☎ 804-673-6600
✉ 804-673-6604

ROBERT A. CANFIELD

By: /s/ Robert A. Canfield
Robert A. Canfield

Robert A. Canfield, VSB 16901
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Suite 200
Richmond, VA 23230
☎ 804-673-6600
✉ 804-673-6604

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of July, 2014 a copy of the foregoing Objection was either electronically transmitted and/or mailed by regular mail, postage prepaid to all necessary parties:

Alison Feehan
Kutak Rock LLP
1111 East Main Street, Ste. 800
Richmond, VA 23219

Loc Pfeiffer
Kutak Rock LLP
1111 East Main Street, Ste. 800
Richmond, VA 23219

Page S. Karo
430 North Parham Road
Henrico, VA 23229

Charles A. Krumbein
Krumbein & Associates, PLLC
1650 Willow Lawn Drive, Ste. 201
Richmond, VA 23230

Bruce Robinson, via e-mail and ECF
at bruce.robinsontr@gmail.com

/s/ Robert A. Canfield

Robert A. Canfield

Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Wednesday, June 18, 2014 12:48 PM
To: 'Feehan, Alison W.'
Subject: RE: Response to Subpoena

Per Mr. Canfield, this question has already been responded to and we trust that any further inquiries as to this matter will be made to Paul Curley.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Feehan, Alison W. [mailto:Alison.Feehan@KutakRock.com]
Sent: Monday, June 16, 2014 1:25 PM
To: Kathleen Kruck; bcanfield@canfieldbaer.com
Cc: Dodge, Jennifer A.; Pfeiffer, Loc
Subject: RE: Response to Subpoena

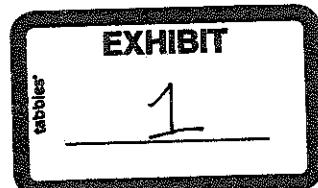
Have you searched? He used a Canfield email address. Since your firm has a domain address, you have an email system somewhere, even if it is in the cloud. How do you access email now (Microsoft, Gmail)?

Alison W. Feehan
Kutak Rock LLP
Bank of America Center
1111 East Main Street, 8th Floor
Richmond, Virginia 23219
804 343-5205 (phone)
804 783-6192 (fax)

From: Kathleen Kruck [mailto:kkruck@canfieldbaer.com]
Sent: Monday, June 16, 2014 11:18 AM
To: Feehan, Alison W.
Subject: RE: Response to Subpoena

We do not back up our e-mails. Once they are deleted off our computers, we do not have access to them.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP



2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Feehan, Alison W. [<mailto:Alison.Feehan@KutakRock.com>]
Sent: Monday, June 16, 2014 11:14 AM
To: Kathleen Kruck
Subject: RE: Response to Subpoena

You don't have a server? You don't backup your emails?

Alison W. Feehan
Kutak Rock LLP
Bank of America Center
1111 East Main Street, 8th Floor
Richmond, Virginia 23219
804 343-5205 (phone)
804 783-6192 (fax)

From: Kathleen Kruck [<mailto:kkruck@canfieldbaer.com>]
Sent: Monday, June 16, 2014 11:13 AM
To: Feehan, Alison W.
Subject: RE: Response to Subpoena

We do not have anything like that. The only way to pull up old e-mails would be on Paul's computer if he hasn't deleted it, and he took his equipment with him when he left. You will have to get that information from Paul.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Feehan, Alison W. [<mailto:Alison.Feehan@KutakRock.com>]
Sent: Thursday, June 12, 2014 11:26 AM
To: bcanfield@canfieldbaer.com
Cc: Kathleen Kruck; Pfeiffer, Loc
Subject: RE: Response to Subpoena

Please let us know the status of emails (on your firm's server) that are responsive to the subpoena.

Alison W. Feehan
Kutak Rock LLP
Bank of America Center

1111 East Main Street, 8th Floor

Richmond, Virginia 23219

804 343-5205 (phone)

804 783-6192 (fax)

From: Kathleen Kruck [<mailto:kkruck@canfieldbaer.com>]

Sent: Wednesday, June 11, 2014 11:27 AM

To: Feehan, Alison W.

Subject: RE: Response to Subpoena

For any information regarding the past representation of the Debtor, you would have to contact Paul Curley, who is no longer with this firm. It is our understanding that all of his client files were taken with him when he left approximately a year ago. He is now employed at Allen & Allen, should you wish to contact him.

Kathleen C. Kruck

Paralegal to Robert A. Canfield, Esq.

and Hunter R. Wells, Esq.

Canfield, Baer & Heller, LLP

2201 Libbie Avenue, Ste. 200

Richmond, Virginia 23230

Phone: (804) 673-6600

Fax: (804) 673-6604

kkruck@canfieldbaer.com

From: Feehan, Alison W. [<mailto:Alison.Feehan@KutakRock.com>]

Sent: Wednesday, June 11, 2014 11:15 AM

To: bcanfield@canfieldbaer.com

Cc: Kathleen Kruck; Dodge, Jennifer A.; Pfeiffer, Loc

Subject: Response to Subpoena

Dear Mr. Canfield, I am in receipt of your response to the subpoena directed to Canfield Baer regarding the representation of the Debtor William Karo. In the response you state your firm does not represent the Debtor (present tense) and that any materials would be privileged if they were in your possession, which you state they are not. Please note that the subpoena is directed to your firm's past representation of the Debtor and specifically limited to documents "through and including April 1, 2011." From the pleadings before the Fourth Circuit it appears your firm represented the Debtor at least through March 31, 2011. If Canfield Baer intends to provide a further response, please let me know no later than close of business today. Thank you

Alison W. Feehan

Kutak Rock LLP

Bank of America Center

1111 East Main Street, 8th Floor

Richmond, Virginia 23219

804 343-5205 (phone)

804 783-6192 (fax)

This E-mail message is confidential, is intended only for the named recipients above and may contain information that is privileged, attorney work product or otherwise protected by applicable law. If you have

Case 13-33011-KRH Doc 83 Filed 07/24/14 Entered 07/24/14 14:35:59 Desc Main Document Page 14 of 45 received this message in error, please notify the sender at 402-346-6000 and delete this E-mail message. Thank you.

Kathleen Kruck

From: Bob Canfield <bcanfield@canfieldbaer.com>
Sent: Wednesday, June 11, 2014 7:18 AM
To: kkruck@canfieldbaer.com
Subject: Fwd: In re William Andrew Karo; Case No. 13-33011
Attachments: Karo documents.PDF; Untitled attachment 00350.htm

Sent from my iPhone

Begin forwarded message:

From: "Dodge, Jennifer A." <Jennifer.Dodge@KutakRock.com>
Date: June 6, 2014 at 3:53:44 PM EDT
To: "bcanfield@canfieldbaer.com" <bcanfield@canfieldbaer.com>
Cc: "Feehan, Alison W." <Alison.Feehan@KutakRock.com>, "Pfeiffer, Loc"
<Loc.Pfeiffer@KutakRock.com>
Subject: In re William Andrew Karo; Case No. 13-33011

Dear Mr. Canfield:

As you are aware, I represent the Chapter 7 trustee in this case along with Loc Pfeiffer. I am writing in response to your letter of June 4, 2014 regarding Mrs. Karo's response to the Order of the Court entered April 4, 2014 (the "Order") in this matter.

You indicate that Mrs. Karo justifies her failure to comply with the Order in reliance on the attorney-client privilege. Please provide a privilege log to support this contention.

Provide copies of the 2010, 2011 and 2012 tax returns. Even if these returns were given to Mr. Karo's counsel, that does not satisfy Mrs. Karo's obligation to comply with the Order.

Attached are documents produced by your firm that reflect copying problems. As you can see, they are not legible and need to be reproduced.

Provide a supplemental production regarding the multiple documents including the previously itemized financial statements that were partially copied or missing altogether.

As to each category specified in the Order, provide an itemized response. It is insufficient for Mrs. Karo to state without explanation that "Ms. Karo has produced everything that she could locate." The Order requires Mrs. Karo to "provide a written response to counsel explaining the effort to locate the documents, the reason for the lack of production and the location or disposition of the documents to the extent documents cannot be produced . . ." For example, has she requested copies of her bank statements? Has she asked her accountant for copies of the tax returns?

This letter is our second attempt to "meet and confer" in good faith to resolve this matter without burdening the Court with motion practice. If Mrs. Karo intends to provide further responses,

EXHIBIT

2

we request that you respond to this letter no later than the close of business on June 9, 2014.

Alison W. Feehan
Kutak Rock LLP
Bank of America Center
1111 East Main Street, 8th Floor
Richmond, Virginia 23219
804 343-5205 (phone)
804 783-6192 (fax)

This E-mail message is confidential, is intended only for the named recipients above and may contain information that is privileged, attorney work product or otherwise protected by applicable law. If you have received this message in error, please notify the sender at 402-346-6000 and delete this E-mail message.

Thank you.

Kathleen Kruck

From: Robert A. Canfield <bcanfield@canfieldbaer.com>
Sent: Monday, June 09, 2014 7:04 AM
To: 'Kathleen C. Kruck'
Subject: FW: Karo subpoena

From: Feehan, Alison W. [mailto:Alison.Feehan@KutakRock.com]

Sent: Friday, June 06, 2014 10:41 AM

To: bcanfield@canfieldbaer.com

Cc: Dodge, Jennifer A.; Pfeiffer, Loc

Subject: Karo subpoena

Mr. Canfield, I am writing regarding a subpoena that was served on your firm requesting files relating to the representation of William Karo. To date we have not received a response. The subpoena was served on the registered agent of record, Paul Curley. Even though he is no longer with your firm, he was the registered agent on file with the SCC. Please advise regarding the status of your firm's response. Thank you

Alison W. Feehan
Kutak Rock LLP
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Richmond, Virginia 23219
804 343-5205 (phone)
804 783-6192 (fax)

This E-mail message is confidential, is intended only for the named recipients above and may contain information that is privileged, attorney work product or otherwise protected by applicable law. If you have received this message in error, please notify the sender at 402-346-6000 and delete this E-mail message. Thank you.



CANFIELD BAER LLP

ATTORNEYS & COUNSELORS AT LAW

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May 12, 2014

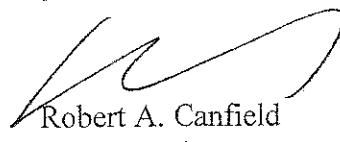
Alison W. Feehan, Esq.
Kutak Rock LLP
111 E. Main Street, Ste. 800
Richmond, Virginia 23219

**Re: William Andrew Karo
Bankr. Case No. 13-33011-KRH**

Dear Ms. Feehan,

I have received the subpoena you have issued to Canfield, Baer & Heller, LLP in the above-named case. As our firm does not represent the debtor, we have no documents to produce pursuant to your request. Further, your request asks for privileged information that would not be produced even if it were in our possession, which it is not. Please let this letter serve as our formal response to your subpoena.

Very truly yours,



Robert A. Canfield
Managing Partner

RAC/kk



Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Monday, June 09, 2014 12:48 PM
To: 'jennifer.dodge@kutakrock.com'; 'alison.feehan@kutakrock.com'
Subject: FW: Karo subpoena

Dear Ms. Feehan and Ms. Dodge,

I have read the two e-mails that were sent to Mr. Canfield on Friday. He was not in the office on Friday and will not be back in until Wednesday morning.

On May 12, 2014, we mailed you our response to the subpoena. The copier that does our faxing and scanning is currently out of commission, so I can't send it. I will be leaving the office shortly and will not be back in until Wednesday. I will leave a copy of the letter we sent with our receptionist so that she can at least fax you a copy after the copier technician finally graces us with his presence.

As for your other e-mail, I obviously need Mr. Canfield to review it. I can answer a few of your requests, however.

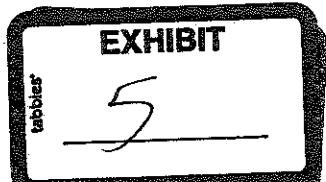
-Mr. Karo sent Ms. Karo an electronic copy of the 2010, 2011, and 2012 tax returns. They are, however, password-protected. Mr. Karo has forgotten the passwords. As you know, relations between those two are not very good, so just getting to that point took some effort. Ms. Karo is trying to get the passwords from the accountant.

-We are going to have to pull all of the Karo binders and find the pages that you have requested to be recopied. Obviously, given the sheer amount of discovery documentation, this request cannot be completed immediately.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Robert A. Canfield [mailto:bcanfield@canfieldbaer.com]
Sent: Monday, June 09, 2014 7:04 AM
To: 'Kathleen C. Kruck'
Subject: FW: Karo subpoena

From: Feehan, Alison W. [mailto:Alison.Feehan@KutakRock.com]
Sent: Friday, June 06, 2014 10:41 AM
To: bcanfield@canfieldbaer.com



Cc: Dodge, Jennifer A.; Pfeiffer, Loc

Subject: Karo subpoena

Mr. Canfield, I am writing regarding a subpoena that was served on your firm requesting files relating to the representation of William Karo. To date we have not received a response. The subpoena was served on the registered agent of record, Paul Curley. Even though he is no longer with your firm, he was the registered agent on file with the SCC. Please advise regarding the status of your firm's response. Thank you

Alison W. Feehan
Kutak Rock LLP
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804 343-5205 (phone)
804 783-6192 (fax)

This E-mail message is confidential, is intended only for the named recipients above and may contain information that is privileged, attorney work product or otherwise protected by applicable law. If you have received this message in error, please notify the sender at 402-346-6000 and delete this E-mail message. Thank you.

Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Wednesday, June 11, 2014 10:58 AM
To: alison.feehan@kutakrock.com
Subject: Response to Discovery Inquiry #1
Attachments: SKMBT_50014061107130.pdf; SKMBT_50014061107140.pdf; SKMBT_50014061109150.pdf

Dear Ms. Feehan,

If you would kindly confirm that you received my fax yesterday that included Mr. Canfield's May 12th response, I would appreciate it.

Attached, please find the 2010 and 2011 tax returns. Due to the size of the files, the 2012 return will be e-mailed separately, along with the recopied material. There was one document that we could not locate but, as it is public record, you should be able to access the document yourself. I have marked it so you know which one it is.

We will also be mailing you supplemental discovery documents this week.

As to your request for a more specific itemized response, Ms. Karo is not obligated to request copies of the documentation, only to provide what she has. She has done this. Ms. Karo does not know where the missing documents are. If we knew where they were, we would have sent them.

Our privilege log is also attached.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com



Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Friday, May 02, 2014 7:45 AM
To: 'loc.pfeiffer@kutakrock.com'
Cc: 'Charles Krumbein'
Subject: Karo 2004 Examination Date

Dear Mr. Pfeiffer,

Our office has been in communication with Mr. Krumbein and have settled on the following dates for the 2004 Examination:

June 12 at 2:00 p.m. (preferred date and time)
June 11 at 2:00 p.m.
June 19 (both a.m. and p.m. are available)

Please let us know if one of these dates works for you.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

No response was
ever received.



Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Monday, May 05, 2014 11:41 AM
To: loc.pfeiffer@kutakrock.com
Subject: Page Karo 2004 Examination Documents

Dear Mr. Pfeiffer,

I have the documents requested from Ms. Karo but my intern called out sick today. Is there any way that I can deliver these to you tomorrow?

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

*No response was
ever received.*

From: Kathleen Kruck [<mailto:kkruck@canfieldbaer.com>]
Sent: Friday, May 02, 2014 7:45 AM
To: loc.pfeiffer@kutakrock.com'
Cc: 'Charles Krumbein'
Subject: Karo 2004 Examination Date

Dear Mr. Pfeiffer,

Our office has been in communication with Mr. Krumbein and have settled on the following dates for the 2004 Examination:

June 12 at 2:00 p.m. (preferred date and time)
June 11 at 2:00 p.m.
June 19 (both a.m. and p.m. are available)

Please let us know if one of these dates works for you.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

CANFIELD BAER LLP
ATTORNEYS & COUNSELORS AT LAW

2201 Libbie Avenue
Suite 200
Richmond, Virginia 23230
T 804-673-6600 | F 804-673-6604
www.canfieldbaer.com

May 12, 2014

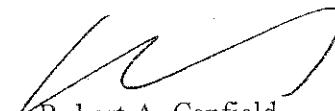
Alison W. Feehan, Esq.
Kutak Rock LLP
111 E. Main Street, Ste. 800
Richmond, Virginia 23219

**Re: William Andrew Karo
Bankr. Case No. 13-33011-KRH**

Dear Ms. Feehan,

I have received the subpoena you have issued to Canfield, Baer & Heller, LLP in the above-named case. As our firm does not represent the debtor, we have no documents to produce pursuant to your request. Further, your request asks for privileged information that would not be produced even if it were in our possession, which it is not. Please let this letter serve as our formal response to your subpoena.

Very truly yours,



Robert A. Canfield
Managing Partner

RAC/kk

Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Monday, June 09, 2014 12:48 PM
To: 'jennifer.dodge@kutakrock.com'; 'alison.feehan@kutakrock.com'
Subject: FW: Karo subpoena

Dear Ms. Feehan and Ms. Dodge,

I have read the two e-mails that were sent to Mr. Canfield on Friday. He was not in the office on Friday and will not be back in until Wednesday morning.

On May 12, 2014, we mailed you our response to the subpoena. The copier that does our faxing and scanning is currently out of commission, so I can't send it. I will be leaving the office shortly and will not be back in until Wednesday. I will leave a copy of the letter we sent with our receptionist so that she can at least fax you a copy after the copier technician finally graces us with his presence.

As for your other e-mail, I obviously need Mr. Canfield to review it. I can answer a few of your requests, however.

-Mr. Karo sent Ms. Karo an electronic copy of the 2010, 2011, and 2012 tax returns. They are, however, password-protected. Mr. Karo has forgotten the passwords. As you know, relations between those two are not very good, so just getting to that point took some effort. Ms. Karo is trying to get the passwords from the accountant.

-We are going to have to pull all of the Karo binders and find the pages that you have requested to be recopied. Obviously, given the sheer amount of discovery documentation, this request cannot be completed immediately.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Robert A. Canfield [<mailto:bcanfield@canfieldbaer.com>]
Sent: Monday, June 09, 2014 7:04 AM
To: 'Kathleen C. Kruck'
Subject: FW: Karo subpoena

From: Feehan, Alison W. [<mailto:Alison.Feehan@KutakRock.com>]
Sent: Friday, June 06, 2014 10:41 AM
To: bcanfield@canfieldbaer.com

Cc: Dodge, Jennifer A.; Pfeiffer, Loc

Subject: Karo subpoena

Document Page 26 of 45

Mr. Canfield, I am writing regarding a subpoena that was served on your firm requesting files relating to the representation of William Karo. To date we have not received a response. The subpoena was served on the registered agent of record, Paul Curley. Even though he is no longer with your firm, he was the registered agent on file with the SCC. Please advise regarding the status of your firm's response. Thank you

Alison W. Feehan
Kutak Rock LLP
Bank of America Center
1111 East Main Street, 8th Floor
Richmond, Virginia 23219
804 343-5205 (phone)
804 783-6192 (fax)

This E-mail message is confidential, is intended only for the named recipients above and may contain information that is privileged, attorney work product or otherwise protected by applicable law. If you have received this message in error, please notify the sender at 402-346-6000 and delete this E-mail message. Thank you.

Destination	Start Time	Time	Prints	Result	Note
7836192	06-10 10:20	00:00:52	002/002	OK	

Note TMR: Timer, ROL: Poll, ORG: Original, FME: Frame Erase TX,
MIX: Mixed Original, CALL: Manual Communication, CSRC: CSRC, FWD: Forward, PC: PC-FAX,
BND: Bind, SP: Special Original, FCODE: F-Code, RTX: Re-Tx, RLY: Relay, MBX: Confidential,
BUL: Bulletin, SIP:SIP-Fax, IPADDR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full,
LOVR:Receiving length Over, POVER:Receiving page Over, FIL:File Error,
DC:Decode Error, MDN:MDN Response Error, DSN:DSN Response Error.

CANFIELD | BAER LLP

2201 Libbie Avenue
Suite 200
Richmond, Virginia 23230
T 804-673-6600 | F 804-673-6604

FACSIMILE TRANSMISSION COVER SHEET

DATE:

FAX NUMBER: 804-783-6192

TO: Alison Fiechan
FROM: Kathleen C. Kruck
RE: *Karen*

NUMBER OF PAGES TRANSMITTED, INCLUDING COVER SHEET: 2

COMMENTS:

CANFIELD BAER LLP

2201 Libbie Avenue
Suite 200
Richmond, Virginia 23230
T 804-673-6600 | F 804-673-6604

FACSIMILE TRANSMISSION COVER SHEET

DATE:

FAX NUMBER: 804-783-6192

TO: Alison Fechan
FROM: Kathleen C. Kunk

RE: *Karo*

NUMBER OF PAGES TRANSMITTED, INCLUDING COVER SHEET: 2

COMMENTS:

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CANFIELD | BAER LLP

ATTORNEYS & COUNSELORS AT LAW

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Richmond, Virginia 23230
T 804-673-6600 | F 804-673-6604
www.canfieldbaer.com

May 12, 2014

Alison W. Feehan, Esq.
Kutak Rock LLP
111 E. Main Street, Ste. 800
Richmond, Virginia 23219

Re: **William Andrew Karo**
Bankr. Case No. 13-33011-KRH

Dear Ms. Feehan,

I have received the subpoena you have issued to Canfield, Baer & Heller, LLP in the above-named case. As our firm does not represent the debtor, we have no documents to produce pursuant to your request. Further, your request asks for privileged information that would not be produced even if it were in our possession, which it is not. Please let this letter serve as our formal response to your subpoena.

Very truly yours,



Robert A. Canfield
Managing Partner

RAC/kk

Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Wednesday, June 11, 2014 10:58 AM
To: alison.feehan@kutakrock.com
Subject: Response to Discovery Inquiry #1
Attachments: SKMBT_50014061107130.pdf; SKMBT_50014061107140.pdf; SKMBT_50014061109150.pdf

Dear Ms. Feehan,

If you would kindly confirm that you received my fax yesterday that included Mr. Canfield's May 12th response, I would appreciate it.

Attached, please find the 2010 and 2011 tax returns. Due to the size of the files, the 2012 return will be e-mailed separately, along with the recopied material. There was one document that we could not locate but, as it is public record, you should be able to access the document yourself. I have marked it so you know which one it is.

We will also be mailing you supplemental discovery documents this week.

As to your request for a more specific itemized response, Ms. Karo is not obligated to request copies of the documentation, only to provide what she has. She has done this. Ms. Karo does not know where the missing documents are. If we knew where they were, we would have sent them.

Our privilege log is also attached.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Wednesday, June 11, 2014 10:59 AM
To: alison.feehan@kutakrock.com
Subject: Response to Discovery Inquiry #2
Attachments: SKMBT_50014061107160.pdf; SKMBT_50014061107170.pdf

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Kathleen Kruck [mailto:kkruck@canfieldbaer.com]
Sent: Wednesday, June 11, 2014 10:58 AM
To: alison.feehan@kutakrock.com
Subject: Response to Discovery Inquiry #1

Dear Ms. Feehan,

If you would kindly confirm that you received my fax yesterday that included Mr. Canfield's May 12th response, I would appreciate it.

Attached, please find the 2010 and 2011 tax returns. Due to the size of the files, the 2012 return will be e-mailed separately, along with the recopied material. There was one document that we could not locate but, as it is public record, you should be able to access the document yourself. I have marked it so you know which one it is.

We will also be mailing you supplemental discovery documents this week.

As to your request for a more specific itemized response, Ms. Karo is not obligated to request copies of the documentation, only to provide what she has. She has done this. Ms. Karo does not know where the missing documents are. If we knew where they were, we would have sent them.

Our privilege log is also attached.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600

Fax: (804) 673-6604

kkruck@canfieldbaer.com

CANFIELD BAER LLP

ATTORNEYS & COUNSELERS AT LAW

1200 Libbie Avenue
Suite 100
Richmond, Virginia 23219
(804) 673-0600 | F (804) 673-0604
www.canfieldbaer.com

June 13, 2014

Alison W. Feehan, Esq.
Kutak Rock LLP
111 E. Main Street, Ste. 800
Richmond, Virginia 23219

**Re: William Andrew Karo
Supplemental Discovery Documents from Page Karo**

Dear Ms. Feehan,

Enclosed, please find additional documentation requested from Ms. Karo.

If you have any questions, please e-mail me at kkruck@canfieldbaer.com or call
Mr. Canfield directly.

Very truly yours,



Kathleen C. Kruck
Paralegal to
Robert A. Canfield, Esquire

Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Wednesday, June 18, 2014 12:48 PM
To: 'Feehan, Alison W.'
Subject: RE: Response to Subpoena

Per Mr. Canfield, this question has already been responded to and we trust that any further inquiries as to this matter will be made to Paul Curley.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Feehan, Alison W. [mailto:Alison.Feehan@KutakRock.com]
Sent: Monday, June 16, 2014 1:25 PM
To: Kathleen Kruck; bcanfield@canfieldbaer.com
Cc: Dodge, Jennifer A.; Pfeiffer, Loc
Subject: RE: Response to Subpoena

Have you searched? He used a Canfield email address. Since your firm has a domain address, you have an email system somewhere, even if it is in the cloud. How do you access email now (Microsoft, Gmail)?

Alison W. Feehan
Kutak Rock LLP
Bank of America Center
1111 East Main Street, 8th Floor
Richmond, Virginia 23219
804 343-5205 (phone)
804 783-6192 (fax)

From: Kathleen Kruck [mailto:kkruck@canfieldbaer.com]
Sent: Monday, June 16, 2014 11:18 AM
To: Feehan, Alison W.
Subject: RE: Response to Subpoena

We do not back up our e-mails. Once they are deleted off our computers, we do not have access to them.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP

Case 13-33011-KRH Doc 83 Filed 07/24/14 Entered 07/24/14 14:35:59 Desc Main Document Page 35 of 45
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Feehan, Alison W. [mailto:Alison.Feehan@KutakRock.com]
Sent: Monday, June 16, 2014 11:14 AM
To: Kathleen Kruck
Subject: RE: Response to Subpoena

You don't have a server? You don't backup your emails?

Alison W. Feehan
Kutak Rock LLP
Bank of America Center
1111 East Main Street, 8th Floor
Richmond, Virginia 23219
804 343-5205 (phone)
804 783-6192 (fax)

From: Kathleen Kruck [mailto:kkruck@canfieldbaer.com]
Sent: Monday, June 16, 2014 11:13 AM
To: Feehan, Alison W.
Subject: RE: Response to Subpoena

We do not have anything like that. The only way to pull up old e-mails would be on Paul's computer if he hasn't deleted it, and he took his equipment with him when he left. You will have to get that information from Paul.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Feehan, Alison W. [mailto:Alison.Feehan@KutakRock.com]
Sent: Thursday, June 12, 2014 11:26 AM
To: bcanfield@canfieldbaer.com
Cc: Kathleen Kruck; Pfeiffer, Loc
Subject: RE: Response to Subpoena

Please let us know the status of emails (on your firm's server) that are responsive to the subpoena.

Alison W. Feehan
Kutak Rock LLP
Bank of America Center

1111 East Main Street, 8th Floor

Richmond, Virginia 23219

804 343-5205 (phone)

804 783-6192 (fax)

From: Kathleen Kruck [mailto:kkruck@canfieldbaer.com]

Sent: Wednesday, June 11, 2014 11:27 AM

To: Feehan, Alison W.

Subject: RE: Response to Subpoena

For any information regarding the past representation of the Debtor, you would have to contact Paul Curley, who is no longer with this firm. It is our understanding that all of his client files were taken with him when he left approximately a year ago. He is now employed at Allen & Allen, should you wish to contact him.

Kathleen C. Kruck

Paralegal to Robert A. Canfield, Esq.

and Hunter R. Wells, Esq.

Canfield, Baer & Heller, LLP

2201 Libbie Avenue, Ste. 200

Richmond, Virginia 23230

Phone: (804) 673-6600

Fax: (804) 673-6604

kkruck@canfieldbaer.com

From: Feehan, Alison W. [mailto:Alison.Feehan@KutakRock.com]

Sent: Wednesday, June 11, 2014 11:15 AM

To: bcanfield@canfieldbaer.com

Cc: Kathleen Kruck; Dodge, Jennifer A.; Pfeiffer, Loc

Subject: Response to Subpoena

Dear Mr. Canfield, I am in receipt of your response to the subpoena directed to Canfield Baer regarding the representation of the Debtor William Karo. In the response you state your firm does not represent the Debtor (present tense) and that any materials would be privileged if they were in your possession, which you state they are not. Please note that the subpoena is directed to your firm's past representation of the Debtor and specifically limited to documents "through and including April 1, 2011." From the pleadings before the Fourth Circuit it appears your firm represented the Debtor at least through March 31, 2011. If Canfield Baer intends to provide a further response, please let me know no later than close of business today. Thank you

Alison W. Feehan

Kutak Rock LLP

Bank of America Center

1111 East Main Street, 8th Floor

Richmond, Virginia 23219

804 343-5205 (phone)

804 783-6192 (fax)

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Case 13-33011-KRH Doc 83 Filed 07/24/14 Entered 07/24/14 14:35:59 Desc Main Document Page 37 of 45 received this message in error, please notify the sender at 402-346-6000 and delete this E-mail message. Thank you.

Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Wednesday, July 23, 2014 1:47 PM
To: jennifer.dodge@kutakrock.com; alison.feehan@kutakrock.com; 'Charles Krumbein'
Cc: 'Bruce E. Robinson (bruce.robinsontr@gmail.com)'
Subject: FW: In re William Andrew Karo

Dear Ms. Dodge,

Below are our available dates for a hearing on these motions. I am assuming that you are looking for a Wednesday date, so those are what I have listed. If the court would prefer to schedule it on another day of the week, please let me know and I will revise my list. Also, please note that they are all far enough in the future that, should you not withdraw these motions within 21 days, we can file Motions for Sanctions on behalf of both the firm and Ms. Karo. Please consider this your notice. In the interest of judicial economy, it would be practical to hold these hearings at the same time.

August 27th- any time during the morning

September 3rd- all day availability

September 10th- all day availability

September 17th- all day availability

September 24th- all day availability

Have a nice day,

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Robert A. Canfield [mailto:bcanfield@canfieldbaer.com]
Sent: Monday, July 21, 2014 5:01 PM
To: 'Kathleen C. Kruck'
Subject: FW: In re William Andrew Karo

From: Dodge, Jennifer A. [mailto:Jennifer.Dodge@KutakRock.com]
Sent: Monday, July 21, 2014 5:00 PM
To: bcanfield@canfieldbaer.com
Subject: In re William Andrew Karo

Mr. Canfield,

At your earliest convenience, would you provide me with your August and September availability to schedule a hearing on our Motion for Sanctions, Motion to Compel, and Motion for 2004 (attached)?

Thank you very much,

Jennifer Dodge - Paralegal

Kutak Rock LLP

1111 East Main Street, Suite 800

Richmond, VA 23219

804-343-5226

jennifer.dodge@kutakrock.com

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Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Wednesday, July 23, 2014 2:52 PM
To: 'Charles Krumbein'; 'Dodge, Jennifer A.'
Subject: RE: In re William Andrew Karo

I have checked Mr. Canfield's schedule and October 1, 15, and 22 are open.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Charles Krumbein [mailto:charlesh@krumbein.com]
Sent: Wednesday, July 23, 2014 2:43 PM
To: Dodge, Jennifer A.; Kathleen Kruck
Subject: Re: In re William Andrew Karo

I suggest we do this October 1, 15 or 22 to be sure Mr Bowles and Mr.Curley can attend. Their presence is mandatory since they would be subject of the order. Their thoughts and positions are indispensable.
On Jul 23, 2014, at 2:38 PM, Dodge, Jennifer A. wrote:

Thank you, Kathleen. The court's availability for Aug. and Sept. is as follows:

August
19 – 2:00pm
26 – 10:00am

September
2, 3, 4, 10 – at any time

Judge Huennekens is out for the first two weeks of August, and there is a trial the latter half of September. If none of these dates work, we'll be looking at October.

Mr. Krumbein is unavailable in September, so if we could agree on one of the August dates, that would certainly be preferable.

Thanks again,

Jennifer Dodge - Paralegal
Kutak Rock LLP
1111 East Main Street, Suite 800
Richmond, VA 23219

804-343-5226

jennifer.dodge@kutakrock.com

From: Kathleen Kruck [mailto:kkruck@canfieldbaer.com]

Sent: Wednesday, July 23, 2014 1:47 PM

To: Dodge, Jennifer A.; Feehan, Alison W.; 'Charles Krumbein'

Cc: 'Bruce E. Robinson'

Subject: FW: In re William Andrew Karo

Dear Ms. Dodge,

Below are our available dates for a hearing on these motions. I am assuming that you are looking for a Wednesday date, so those are what I have listed. If the court would prefer to schedule it on another day of the week, please let me know and I will revise my list. Also, please note that they are all far enough in the future that, should you not withdraw these motions within 21 days, we can file Motions for Sanctions on behalf of both the firm and Ms. Karo. Please consider this your notice. In the interest of judicial economy, it would be practical to hold these hearings at the same time.

August 27th- any time during the morning

September 3rd- all day availability

September 10th- all day availability

September 17th- all day availability

September 24th- all day availability

Have a nice day,

Kathleen C. Kruck

Paralegal to Robert A. Canfield, Esq.

and Hunter R. Wells, Esq.

Canfield, Baer & Heller, LLP

2201 Libbie Avenue, Ste. 200

Richmond, Virginia 23230

Phone: (804) 673-6600

Fax: (804) 673-6604

kkruck@canfieldbaer.com

From: Robert A. Canfield [mailto:bcanfield@canfieldbaer.com]

Sent: Monday, July 21, 2014 5:01 PM

To: 'Kathleen C. Kruck'

Subject: FW: In re William Andrew Karo

From: Dodge, Jennifer A. [mailto:Jennifer.Dodge@KutakRock.com]

Sent: Monday, July 21, 2014 5:00 PM

To: bcanfield@canfieldbaer.com

Subject: In re William Andrew Karo

Mr. Canfield,

At your earliest convenience, would you provide me with your August and September availability to schedule a hearing on our Motion for Sanctions, Motion to Compel, and Motion for 2004 (attached)?

Thank you very much,

Jennifer Dodge - Paralegal

Kutak Rock LLP

1111 East Main Street, Suite 800

Richmond, VA 23219

804-343-5226

jennifer.dodge@kutakrock.com

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Kathleen Kruck

From: Kathleen Kruck <kkruck@canfieldbaer.com>
Sent: Wednesday, July 23, 2014 3:16 PM
To: 'Charles Krumbein'; 'Dodge, Jennifer A.'
Subject: RE: In re William Andrew Karo

Mr. Canfield is not available August 26th, but is available both October 14th and 15th.

Kathleen C. Kruck
Paralegal to Robert A. Canfield, Esq.
and Hunter R. Wells, Esq.
Canfield, Baer & Heller, LLP
2201 Libbie Avenue, Ste. 200
Richmond, Virginia 23230
Phone: (804) 673-6600
Fax: (804) 673-6604
kkruck@canfieldbaer.com

From: Charles Krumbein [<mailto:charlesh@krumbein.com>]
Sent: Wednesday, July 23, 2014 3:06 PM
To: Dodge, Jennifer A.; Kathleen Kruck
Subject: Re: In re William Andrew Karo

How about the 15th at 1 or any other time that is convenient for all others.
On Jul 23, 2014, at 2:54 PM, Dodge, Jennifer A. wrote:

The court's first available October date is the 14th at 2pm. Then the 15th, and any other subsequent motions day.

Jennifer Dodge - Paralegal
Kutak Rock LLP
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Richmond, VA 23219
804-343-5226
jennifer.dodge@kutakrock.com

From: Charles Krumbein [<mailto:charlesh@krumbein.com>]
Sent: Wednesday, July 23, 2014 2:43 PM
To: Dodge, Jennifer A.; Kathleen Kruck
Subject: Re: In re William Andrew Karo

I suggest we do this October 1, 15 or 22 to be sure Mr Bowles and Mr Curley can attend. Their presence is mandatory since they would be subject of the order. Their thoughts and positions are indispensable.
On Jul 23, 2014, at 2:38 PM, Dodge, Jennifer A. wrote:

Thank you, Kathleen. The court's availability for Aug. and Sept. is as follows:

August
19 – 2:00pm

26 - 10:00am

September

2, 3, 4, 10 - at any time

Judge Huennekens is out for the first two weeks of August, and there is a trial the latter half of September. If none of these dates work, we'll be looking at October.

Mr. Krumbein is unavailable in September, so if we could agree on one of the August dates, that would certainly be preferable.

Thanks again,

Jennifer Dodge - Paralegal

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jennifer.dodge@kutakrock.com

From: Kathleen Kruck [mailto:kkruck@canfieldbaer.com]

Sent: Wednesday, July 23, 2014 1:47 PM

To: Dodge, Jennifer A.; Feehan, Alison W.; 'Charles Krumbein'

Cc: 'Bruce E. Robinson'

Subject: FW: In re William Andrew Karo

Dear Ms. Dodge,

Below are our available dates for a hearing on these motions. I am assuming that you are looking for a Wednesday date, so those are what I have listed. If the court would prefer to schedule it on another day of the week, please let me know and I will revise my list. Also, please note that they are all far enough in the future that, should you not withdraw these motions within 21 days, we can file Motions for Sanctions on behalf of both the firm and Ms. Karo. Please consider this your notice. In the interest of judicial economy, it would be practical to hold these hearings at the same time.

August 27th- any time during the morning

September 3rd- all day availability

September 10th- all day availability

September 17th- all day availability

September 24th- all day availability

Have a nice day,

Kathleen C. Kruck

Paralegal to Robert A. Canfield, Esq.

and Hunter R. Wells, Esq.

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2201 Libbie Avenue, Ste. 200

Richmond, Virginia 23230

Phone: (804) 673-6600

Fax: (804) 673-6604

kkruck@canfieldbaer.com

From: Robert A. Canfield [mailto:bcanfield@canfieldbaer.com]

Sent: Monday, July 21, 2014 5:01 PM

To: 'Kathleen C. Kruck'

Subject: FW: In re William Andrew Karo

From: Dodge, Jennifer A. [mailto:Jennifer.Dodge@KutakRock.com]

Sent: Monday, July 21, 2014 5:00 PM

To: bcanfield@canfieldbaer.com

Subject: In re William Andrew Karo

Mr. Canfield,

At your earliest convenience, would you provide me with your August and September availability to schedule a hearing on our Motion for Sanctions, Motion to Compel, and Motion for 2004 (attached)?

Thank you very much,

Jennifer Dodge - Paralegal

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